

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application.

Listing of Claims

1. (Currently Amended) A method for collecting and packaging of fresh cut produce comprising:

machine harvesting a plurality of fresh produce,
placing said plurality of fresh produce into a shelf stable process,
diverting a visually selected portion of said plurality of fresh produce from said shelf stable process into a fresh cut produce process, said fresh cut produce process being separate from said shelf stable process but consolidated within a ~~common~~ shelf stable processing facility,
cutting said diverted select portion of said fresh produce and
depositing said cut diverted select portion of said fresh produce into one or more containers.

2. (Currently Amended) The method according to claim 1 wherein said ~~cutting~~ diverting further comprises;

removing at least tops and ends ~~one or more undesirable sections~~ from said diverted select portion of said fresh produce, and
reintroducing at least some of said removed ~~one or more undesirable sections~~ tops and ends into said shelf stable process.

3. (Original) The method according to claim 1 wherein said plurality of fresh produce comprises tomatoes, bell peppers, apples, oranges, pears, peaches, apricots, beets, strawberries, plums, nectarines, melons, papayas, onions or guavas.

4. (Previously Cancelled)
5. (Currently Amended) The method according to claim 1 wherein said visually selected ~~one or more visual characteristics comprises~~ color, ripeness, size, damage, defects, tenderness, or juiciness ~~or aesthetic appeal~~.
6. (Currently Amended) The method according to claim 2 wherein said reintroducing ~~one or more undesirable sections~~ further includes ~~a top, an end, or~~ juices removed from ~~at least one member of~~ said select portion of said plurality of fresh produce.
7. (Original) The method according to claim 1 wherein said one or more containers includes one or more modified atmosphere packages.
8. (Currently Amended) A method for collecting and packaging of fresh cut produce comprising the steps of:
 - machine harvesting a plurality of fresh produce,
 - placing said plurality of fresh produce into a shelf stable process,
 - consolidating a fresh cut produce process with said shelf stable process in a ~~common~~ shelf stable processing facility,
 - diverting a visually selected portion of said plurality of fresh produce into said fresh cut produce process based on one or more visual characteristics ~~into~~ of said fresh ~~cut~~ produce ~~process~~,
 - removing ~~one or more undesirable sections~~ at least tops and ends from said diverted select portion of said fresh cut produce,
 - reintroducing at least some of said removed ~~undesirable sections~~ tops and ends into said shelf stable process,
 - cutting said diverted select portion of said fresh produce, and
 - depositing said cut diverted select portion of said fresh cut produce into one or more containers.

9. (Previously Presented) The method according to claim 8 wherein said plurality of fresh produce is machine harvested tomatoes.

10. (Currently Amended) The method according to claim 8 wherein said one or more visual characteristics ~~is selected from the group consisting essentially of;~~ comprises color, ripeness, size, damage, tenderness, defects, juiciness, ~~or aesthetic appeal~~ and any combination thereof.

11. (Cancelled) ~~The method according to claim 8 wherein said one or more undesirable sections is selected from the group consisting essentially of; tops, ends, juices and any combination thereof removed from said diverted select portion of said fresh produce.~~

12. (Currently Amended) The method according to claim 8 wherein said one or more containers ~~packages~~ includes one or more modified atmosphere packages.

13. (Currently Amended) The method according to claim 12 wherein said one or more modified atmosphere ~~containers~~ packages includes a transparent lid or a transparent bag.

14. (Previously Presented) A method for collecting and packaging of fresh cut tomatoes comprising:

- machine harvesting a plurality of fresh tomatoes,
- placing said plurality of fresh produce into a shelf stable process,
- consolidating a fresh cut produce process with said shelf stable process,
- diverting a visually selected portion of said plurality of fresh tomatoes into said fresh cut produce process,
- cutting said diverted select portion of said fresh tomatoes, and
- depositing said cut diverted select portion of said fresh tomatoes into one or more modified atmosphere packages.

15. (Currently Amended) The method according to claim 14 wherein said diverting ~~cutting~~ further comprises;

removing at least tops, ends or juices ~~one or more undesirable sections~~ from said visually selected portion of said plurality of fresh tomatoes, and
reintroducing at least some of said removed tops, ends or juices ~~undesirable sections~~ into said shelf stable process.

16. (Cancelled) ~~The method according to claim 15 wherein said one or more undesirable sections comprises a plurality of tops, ends or juices removed from said diverted select portion of said fresh tomatoes.~~

17. (Original) The method according to claim 14 wherein said one or more modified atmosphere packages incorporates a transparent lid or a transparent bag.

18. (Previously Presented) The method according to claim 14 wherein said diverted visually selected portion of said fresh tomatoes is diverted based on one or more visual characteristics of said plurality of fresh tomatoes.

19. (Currently Amended) The method according to claim 18 wherein said one or more visual characteristics includes color, ripeness, tenderness, size, damage, defects, or juiciness ~~or aesthetic appeal~~.

20. (Currently Amended) The method according to claim 14 wherein said fresh cut produce process and said shelf stable process are consolidated into a shelf stable processing ~~common~~ facility.